

4. Section 1.49 is amended by revising paragraph (a) and adding new paragraph (f) to read as follows:

**§ 1.49 Specifications as to pleadings and documents.**

(a) All pleadings and documents filed in paper form in any Commission proceeding shall be typewritten or prepared by mechanical processing methods, and shall be filed on A4 (21 cm. x 23.7 cm.) or on 8 1/2 x 11 inch (21.6 cm. x 27.9 cm.) paper with the margins set so that the printed material does not exceed 6 1/8 x 9 1/8 inches (16.5 cm. x 24.1 cm.). The printed material may be in any typeface of at least 12-point (0.42333 cm. or 1 1/2") in height. The body of the text must be double spaced with a minimum distance of 7/32 of an inch (0.5556 cm.) between each line of text. Footnotes and long, indented quotations may be single spaced, but must be in type that is 12-point or larger in height, with at least 1/16 of an inch (0.158 cm.) between each line of text. Counsel are cautioned against employing extended single spaced passages or excessive footnotes to evade prescribed pleading lengths. If single-spaced passages or footnotes are used in this manner the pleading will, at the discretion of the Commission, either be rejected as unacceptable for filing or dismissed with leave to be refiled in proper form. Pleadings may be printed on both sides of the paper. Pleadings that use only one side of the paper shall be stapled, or otherwise bound, in the upper left-hand corner; those using both sides of the paper shall be stapled twice, or otherwise bound, along the left-hand margin so that it opens like a book. The foregoing shall not apply to printed briefs specifically requested by the Commission, documents filed in electronic form, official publications, charted or maps, original documents (or admissible copies thereof) offered as exhibits, specially prepared exhibits, or if otherwise specifically provided. All copies shall be clearly legible.

(f) Comments, reply comments, and other documents filed before the close of the reply comment period, may be filed in electronic form in any rulemaking proceeding other than broadcast allotment proceedings. The Commission may adopt specific requirements for formatting and filing of documents submitted in electronic form. For purposes of paragraphs (b) and (c) of this section, and any prescribed pleading lengths, the length of any comment or reply comment filed in electronic form in a rulemaking proceeding shall be equal to the length of the document if printed out and

formatted according to the specifications of paragraph (a) of this section.

5. Section 1.419 is amended by adding new paragraphs (d) and (e) to read as follows:

**§ 1.419 Form of comments and replies; number of copies.**

(d) Participants that file comments and replies in electronic form need only submit one copy of those comments, so long as the submission conforms to any procedural or filing requirements established for formal electronic comments.

(e) Comments and replies filed in electronic form by a party represented by an attorney shall include the name, street address, and telephone number of at least one attorney of record. Parties not represented by an attorney that file comments and replies in electronic form shall provide their name, street address, and telephone number.

[FR Doc. 97-9913 Filed 4-18-97; 8:45 am]  
BILLING CODE 6712-01-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**49 CFR Part 393**

[FHWA Docket No. MC-9S-41; FHWA-97-2289]

**RIN 2125-AE05**

**Public Meeting To Discuss the Development of the North American Standard for Protection Against Shifting or Falling Cargo**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of meeting.

**SUMMARY:** The FHWA is announcing a public meeting concerning the development of the North American Cargo Securement Standard. The meeting will include presentations of the results of recently completed research and a discussion of a draft version of the North American Standard for Protection Against Shifting or Falling Cargo.

**DATES:** The meeting will be held on May 3, 1997. It will begin at 9:00 a.m. and end at 5:00 p.m.

**ADDRESSES:** The meeting will be held at the Wyndham Greenspoint Hotel, 12400 Greenspoint Drive, Houston, Texas.

**FOR FURTHER INFORMATION CONTACT:** Mr. Larry W. Minor, Office of Motor Carrier

Research and Standards, HCS-10, (202) 366-4009; or Mr. Charles E. Medalen, Office of the Chief Counsel, HCC-20, (202) 366-1354, Federal Highway Administration, 400 Seventh Street, SW., Washington, D. C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**Background**

On October 17, 1996, the FHWA published an advance notice of proposed rulemaking (ANPRM) concerning the development of the North American Standard for Protection Against Shifting or Falling Cargo (61 FR 54142). The ANPRM indicated that the FHWA is considering proposing amendments to its regulations concerning cargo securement requirements for commercial motor vehicles engaged in interstate commerce. Specifically, the agency is considering adopting new cargo securement guidelines that will be based upon the results of a multi-year comprehensive research program to evaluate current regulations and industry practices. The FHWA requested comments on the process to be used in developing the cargo securement guidelines.

**Standard Development Process**

The preliminary efforts at developing the North American Cargo Securement Standard are currently being managed by a drafting group. The drafting group is developing a model set of cargo securement guidelines based upon the results from the multi-year research program. Membership in the drafting group includes representatives from the FHWA, Transport Canada, Canadian Council of Motor Transport Administrators (CCMTA), the Ontario Ministry of Transportation, Quebec Ministry of Transportation-Ontario and Quebec are conducting most of the research and the Commercial Vehicle Safety Alliance (CVSA).

The meeting on May 3 is intended to serve as part of a process for further developing the guidelines and will involve a review of the work completed to date by the drafting group. The meeting is open to all interested parties. This process is intended to ensure that all interested parties have an opportunity to participate in the development of the guidelines, and to identify and consider the concerns of the Federal, State, and Provincial governments, carriers, shippers, industry groups, and associations as

2795

well as safety advocacy groups and the general public.

For individuals and groups unable to attend the meeting, the FHWA will publish the draft standard in the **Federal Register**. Further, the CCMTA has posted information on the INTERNET. The website is: <http://www.ab.org/ccmta/ccmta.html>.

With regard to future rulemaking notices, the FHWA will publish a separate notice concerning its review of the docket comments sent in response to the ANPRM. That notice will summarize the comments and identify any issues that warrant reconsideration of the standard development process.

#### Meeting Information

The meeting will be held on May 3, 1997, at the Wyndham Greenspoint Hotel, 12400 Greenspoint Drive, Houston, Texas. The meeting is scheduled from 9:00 a.m. to 5:00 p.m. and is part of the Commercial Vehicle Safety Alliance's 1997 Spring Workshop. Attendance for the cargo **securement** meeting is free of charge and open to all interested parties. However, anyone interested in attending any other session or committee meeting of the CVSA's Spring Workshop must register with the CVSA and pay the appropriate registration fee. For further information about registration for other sessions or meetings of the CVSA's Spring Workshop please contact the CVSA at (301) 564-1623.

The FHWA notes that since the CVSA's 1997 Spring Workshop is being held at the Wyndham Greenspoint Hotel, the availability of guest rooms at the hotel is very unlikely. Therefore, those needing hotel accommodations may need to make reservations at other hotels in the vicinity.

#### List of Subjects in 49 CFR Part 393

Highway safety, Motor carriers, Motor vehicle safety.

Authority: 49 U.S.C. 31136, 31502; 49 CFR 1.48.

Jill L. Hochman,

Acting Associate Administrator, Office of Motor Carriers.

[FR Doc. 97-10238 Filed 4-18-97; 8:45 am]

BILLING CODE 4810-22-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. 97-21; Notice 1]

RIN 2127-AG55

#### Federal Motor Vehicle Safety Standards; Metric Conversion

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of proposed rulemaking.

**SUMMARY:** This document proposes to revise selected Federal Motor Vehicle Safety Standards (FMVSS) by converting English measurements specified in those standards to metric measurements. This document begins the second phase of several rulemaking actions that NHTSA will undertake to implement the Federal policy that the metric system of measurement is the preferred system of weights and measures for United States trade and commerce. The proposed conversions are not intended to make any changes in the stringency of the affected FMVSS.

**DATES:** Comments must be received on or before June 20, 1997.

**ADDRESSES:** All comments should refer to the docket number and notice number in the heading of this notice and be submitted, preferably in ten copies, to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Docket hours are 9:30 a.m. to 4 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Mr. Kevin Cavey, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Mr. Cavey's telephone number is: (202) 366-5271.

#### SUPPLEMENTARY INFORMATION:

##### Outline of Document

##### I. Background Information

##### II. Today's Notice of Proposed Rulemaking

##### A. Exact Versus Equivalent Conversions

1. Gross Vehicle Weight Ratings
2. Standard No. 219, Windshield zone intrusion, and Standard No. 301, Fuel system integrity

##### B. "Mass" v. "Weight"

##### C. Force Measurements

##### D. Dual Measurements

##### E. Leadtime

##### F. Other Changes

##### III. Regulatory Impacts

##### A. Executive Order 12866 and DOT Regulatory Policies and Procedures

##### B. Regulatory Flexibility Act

##### C. Environmental Impacts

#### D. Federalism

#### E. Civil Justice Reform

#### Proposed Regulatory Text

#### I. Background Information

Section 5164 of the Omnibus Trade and Competitiveness Act (Pub. L. 100-418), makes it United States (U.S.) policy that the metric system of measurement is the preferred system of weights and measures for United States trade and commerce. Through Executive Order 12770, Federal agencies are directed to comply with the Act by adopting a conversion schedule for their programs by September 30, 1992. In a **Federal Register** document of April 21, 1992 (57 FR 14619), the National Highway Traffic Safety Administration (NHTSA) published its plan to use the metric system in NHTSA programs, and included an implementation schedule to convert the Federal Motor Vehicle Safety Standards (FMVSSs) to metric measurements.

Using the plan, in the **Federal Register** of March 15, 1994 (59 FR 11962), the agency published a notice of proposed rulemaking (NPRM) to convert English system measurements in selected FMVSSs to the metric system. In this first round of conversions, the agency selected the following FMVSSs for which conversions were simple, and relatively straightforward: Standard No. 102, *Transmission shift lever sequence, starter interlock, and transmission braking effect*; Standard No. 103, *Windshield defrosting and defogging systems*; Standard No. 104, *Windshield wiping and washing systems*; Standard No. 107, *Reflecting surfaces*; Standard No. 110, *Tire selection and rims*; Standard No. 112, *Headlamp concealment devices*; Standard No. 114, *Theft protection*; Standard No. 115, *Vehicle identification number-basic requirements*; Standard No. 120, *Tire selection and rims for motor vehicles other than passenger cars*; Standard No. 124, *Accelerator control systems*; Standard No. 126, *Truck-camper loading*; Standard No. 205, *Glazing materials*; Standard No. 206, *Door locks and door retention components*; Standard No. 207, *Seating systems*; Standard No. 212, *Windshield mounting*, and Standard No. 216, *Roof crush resistance*.

NHTSA reviewed the public comments in response to the NPRM, and made certain changes recommended by the commenters. In a final rule of March 14, 1995 (60 FR 13639), the agency converted to the metric system, English measurements in the above named Federal Motor Vehicle Safety Standards (49 CFR 571 *et seq.*).

The final rule discussed principles for NHTSA to follow in converting English measurements to the metric system. These principles are also applicable to the present rulemaking and are discussed below.

## II. Today's Notice of Proposed Rulemaking

In this notice of proposed rulemaking, NHTSA proposes to convert to metric measurements, English measurements in the following Federal Motor Vehicle Safety Standards: Standard No. 101, *Controls and displays*; Standard No. 109, *New pneumatic tires*; Standard No. 111, *Rearview mirrors*; Standard No. 116, *Motor vehicle brake fluids*; Standard No. 117, *Retreaded pneumatic tires*; Standard No. 119, *New pneumatic tires for vehicles other than passenger cars*; Standard No. 123, *Motorcycle controls and displays*; Standard No. 201, *Occupant protection in interior impact*; Standard No. 202, *Head restraints*; Standard No. 203, *Impact protection for the driver from the steering control system*; Standard No. 204, *Steering control rearward displacement*; Standard No. 209, *Seat belt assemblies*; Standard No. 210, *Seat belt assembly anchorages*; Standard No. 219, *Windshield zone intrusion*; Standard No. 220, *School bus rollover protection*; Standard No. 222, *School bus passenger seating and crash protection*; Standard No. 301, *Fuel system integrity*; and Standard No. 302, *Flammability of interior materials*.

As noted above, NHTSA established principles in converting English system measurements to the metric system in the first round of metrication. NHTSA intends to metricate the selected FMVSSs according to the following principles.

### A. Exact Versus Equivalent Conversions

With respect to the nature of the conversions to be made, the agency generally favors the use of equivalent conversions<sup>1</sup> because using values stated in integers would facilitate making measurements during compliance testing. However, NHTSA will not use equivalent conversions where there is a specific safety need or other reason to make an exact conversion.

In the majority of cases, the proposed conversions are equivalent conversions. It is the agency's intent that, if made final, these equivalent conversions have no substantive effect on specifications or requirements in the affected standard.

Public comment is sought on whether each equivalent conversion would substantively affect the regulatory text. If there would be a substantive effect, comment is requested on the appropriate exact conversion.

In certain cases, exact conversions are proposed. Most of the exact conversions specify the height of lettering, the minimum depth to which the lettering must be impressed, or the maximum height to which it must be embossed. In such situations, manufacturers typically have invested in molds and other materials that produce lettering of very precise sizes. NHTSA does not want the conversion of the required lettering to have the effect of requiring manufacturers to have to change molds and materials.

NHTSA also proposes to use exact conversions for certain other measurements, to avoid a possibility that the standard would become more stringent after the conversion. For each of these proposed conversions, the agency seeks comment on whether use of the equivalent, rather than the exact conversion, would make a substantive difference:

#### 1. Gross Vehicle Weight Ratings (GVWRs)

NHTSA proposes to convert any references to GVWRs to the exact conversion. GVWRs of 10,000 pounds are proposed to be converted to 4536 kilograms and GVWRs of 6,000 pounds are proposed to be converted to 2,722 kilograms. NHTSA is aware that some of the Canadian Motor Vehicle Safety Standards use the equivalent conversions of 4500 kilograms for the 10,000 pound GVWR and 2700 kilograms for the 6000 pound GVWR.

Such an exact GVWR conversion could affect the applicability of some of the FMVSS's to particular vehicles. In the case of standards that apply to vehicles with a GVWR of 10,000 pounds or less, rounding to 4500 kilograms would affect any vehicles between 4501 and 4536 kilograms GVWR. Such vehicles may be excluded from FMVSS's that had applied to them (e.g., Standards Nos. 201, *Occupant protection in interior impact*, and 203, *Impact protection for the driver from the steering control system*, which apply to vehicles with GVWR's of 10,000 pounds or less), or be subject to requirements that had previously not applied to them (e.g., Standard No. 222, *School Bus Passenger Seating and Crash Protection* which applies to vehicles with GVWR's of more than 10,000 pounds).

NHTSA notes that the number of vehicles in the 4501 to 4536 kilogram or 2700 to 2722 kilogram ranges is likely

to be very small. NHTSA requests comments on whether to use equivalent conversions or exact conversion.

#### 2. Standard No. 219, Windshield Zone Intrusion, and Standard No. 301, Fuel System Integrity

Under the test conditions of S7.7(b) in Standard No. 219, and the test conditions of S7.1.6(b) in Standard No. 301, certain tested vehicles must be loaded to their unloaded vehicle weight plus 300 pounds. In this NPRM, the agency proposes to convert 300 pounds to 136 kilograms, the equivalent conversion. The Canadian standards have converted 300 pounds to the equivalent conversion of 140 kilograms. In the conversion of 300 pounds, the concern about stringency is particularly relevant because the manufacturers' certification testing for Standards Nos. 208, *Occupant crash protection*; 212, *Windshield mounting*; 219, *Windshield zone intrusion*; and 301, *Fuel system integrity* can be conducted in a single crash test. A slight increase in the load required for Standards Nos. 219 and 301 testing (resulting from a conversion to 140 kilograms) may necessitate the manufacturers conducting a separate crash test for Standard No. 219 and Standard No. 301 certification. To avoid this situation, the agency proposes to convert 300 pounds to the equivalent conversion of 136 kilograms, rather than the equivalent conversion of 140 kilograms.

#### B. "Mass" v. "Weight"

Kilograms are measures of "mass," not "weight." Thus, in instances in which the safety standards use "weight" to mean "mass" in describing compliance testing conditions and procedures, or in other instances in which the standards are primarily directed to engineers or other technically trained persons, NHTSA proposes to revise "weight" in the regulatory text to "mass." As an example, in Standard No. 116, *Motor vehicle brake fluids*, a sentence in S6.11.1 states: "At the end of this period, the metal strips are examined for pitting, etching, and weight loss." NHTSA proposes to amend this sentence to read: "At the end of this period, the metal strips are examined for pitting, etching, and loss of mass."

However, in instances in which the word "weight" is part of a term defined at 49 CFR part 571.3, such as "curb weight," "gross axle mass rating," or "unloaded vehicle weight," NHTSA is not making the change. NHTSA proposes not to adopt terms such as "curb mass," "gross axle mass rating," or "unloaded vehicle mass." NHTSA

<sup>1</sup> To illustrate equivalent and exact conversions, an equivalent conversion of two inches would be 51 millimeters, while an exact conversion would be 50.8 millimeters.